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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/025,531 | 12/19/2001 | Leonardo Estevez | TI-31793 | 6204 |

23494 7590 10/28/2005

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EXAMINER

ALAVI, AMIR

ART UNIT PAPER NUMBER

2621

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,531

Applicant(s)

ESTEVEZ ET AL.

Examiner

Amir Alavi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) 4 and 5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Response to Arguments

- In view of the changes made, the Objections to the Title and Abstract of the invention are withdrawn.
- Applicant's arguments filed 27 September, 2005 have been fully considered but they are not persuasive.
- Applicant argues in essence that the cited prior art, namely, MacCormack et al. USPN-6,006,276, do not address, "an entire row of blocks".
- Examiner disagrees and indicates that the cited prior art reasonably address limitations of the claimed invention. Applicant is reminded that Examiner will interpret each claim in the broadest reasonable sense, as such, the claims and only the claims form the metes and bounds of the invention. In this regard, "an", meaning, "one", "an row of blocks". As clearly indicated in the Office Action, figure 9 is consisted of six tiles, or six blocks, therefore, "six blocks", constitutes, "a row of blocks".

Claim Rejections - 35 USC § 102

- The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by MacCormack et al. (USPN 6,006,276).

Regarding claim 1, MacCormack et al. disclose: (a) comparing blocks of pixels in a strip of blocks in an input image to corresponding blocks of pixels in a corresponding strip of blocks of a prior image with said strip including an entire row of blocks (please note, figure 9, in correlation to column 9, lines 59-67 and column 10, lines 57-67. In this regard, as figure 9 indicates, it consists of 6 tiles or blocks, thereby, an MCU being a strip of blocks. As indicated, the comparison of the difference field coefficients to the reference field coefficients may be made on a number of different bases; an entire MCU of data is considered to be different if any one of the six constituent pixel blocks is found to be different from the corresponding pixel block of the reference image); (b) encoding said strip of blocks of an input image as said corresponding strip of blocks of a prior image when said comparing of step (a) indicates

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said strip approximates said corresponding strip (please note, column 8, lines 53-55. As indicated a "zero" value for the bit corresponding to a particular MCU indicates that no data for the MCU is included in the present difference data field. Herein, "no data" indicates, "no change"; in this regard, Examiner considers this "no data" indicative of no changes to correspond to Applicant's "approximation". As such, "indication of zero" is indeed representative of encoding processing).

Regarding claim 2, MacCormack et al. disclose, wherein said comparing of step (a) of claim 1 includes comparing to a threshold the difference between DC coefficients of each of the blocks of said strip and DC coefficients of each of the blocks of said corresponding strip (please note, column 9, lines 59-67 and column 10, lines 57-67. As indicated the DC coefficient for the pixel block of the difference image may be compared to the DC coefficient of the corresponding pixel block of the reference image. If the difference between the DC coefficients is greater than a given threshold, then the pixel block of the difference field would be declared, "different").

Regarding claim 3, MacCormack et al. disclose, wherein said strip of blocks of an input image of step (a) of claim 1 by JPEG encoding when said comparing of step (a) indicates said strip fails to approximate said corresponding strip (please note, column 10, lines 37-67 and column 11, lines 1-7. As indicated if any pixel block in an MCU is found to be "different", then that block and the other constituent blocks of the MCU are JPEG encoded. In this regard, Examiner considers this "different", to correspond to Applicant's, "approximation failure").

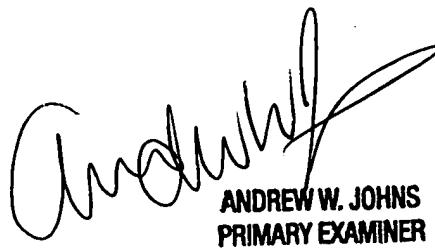
Conclusion

- **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
- A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amir Alavi whose telephone number is 571-272-7386.
- The examiner can normally be reached on Mon-Thu.. 8:00 am thru 6:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Joseph Mancuso can be reached on 571-272-7695.
- The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.
- For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AA
Group Art Unit 2621
20 October 2005



ANDREW W. JOHNS
PRIMARY EXAMINER